

PTOL-413A (08-09)  
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

### Applicant Initiated Interview Request Form

Application No.: 09 / 967,055 First Named Applicant: Jerald C. Seelig  
Examiner: Carmen White Art Unit: 3714 Status of Application: \_\_\_\_\_

**Tentative Participants:**

(1) Carmen White (2) Ian Burns  
(3) Lawrence Henshaw (4) Jerald Seelig (5) Ryan Heck

Proposed Date of Interview: 10/14/2003 Proposed Time: 1:30 (AM/PM) PM

**Type of Interview Requested:**

(1) ☐ Telephonic (2) ☒ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☒ YES ☐ NO

If yes, provide brief description: Gaming Device

### Issues To Be Discussed

Issues (Ref., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rejection</u>	<u>1-12, 31-39</u>	<u>Orr</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>Rejection</u>	<u>1-12, 31-39</u>	<u>Baerlocher</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Continuation Sheet Attached

**Brief Description of Arguments to be Presented:**

See Attached Continuation Sheet

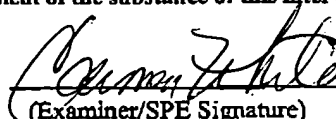
An interview was conducted on the above-identified application on 10/14/03.

**NOTE:**

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

\_\_\_\_\_  
(Applicant/Applicant's Representative Signature)

  
(Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 11 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Case: 09/967,055

Examiner: Carmen White

**Brief Description of Arguments to Be Presented**

Orr appears to disclose a game with more than two outcomes. That is, Orr appears to suggest at least two cards being drawn, with the game outcome determined by whether both cards are red, both cards are black, or if there is a mix of red and black cards. The player appears only allowed to bet on "all red" or "all black." Furthermore, the outcome of Orr appears to be determined by more than one symbol. For example, in the above method, one would need to look at two cards, each having a symbol, to determine whether the game is a winning or losing outcome. Accordingly, Orr does not meet Applicant's claims, which are directed to determining a game outcome based on which one of two possible symbols is displayed.

Baerlocher does not teach awarding a prize based on the number of similar outcomes obtained. Rather, it appears that Baerlocher allows a player to pick from indicators that will be either success or failure indicators. If the player picks a failure indicator, the game ends. If the chosen indicator is a success indicator, the player is awarded a prize and may choose another indicator. However, it appears that each of the prizes is completely independent of the other prizes. Accordingly, the prize awarded the player does not depend on the number of similar outcomes chosen. This is in contrast to Applicants' invention. For example, in a coin embodiment, Applicants teach awarding one prize when 2 of 3 coins bear the same symbol and awarding a different prize when 3 of 3 coins bear the same image.